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AMENDMENTS TO THE DRAWING

Please amend the drawing of the application by replacing the originally-filed drawing figures with the formal drawing figures contained on the attached Replacement Sheets.

The figures on the Replacement Sheets contain no substantive amendment and no new matter.

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REMARKS

This amendment and remarks are submitted in response to the Office Action dated January 19, 2005.

Amendments to the Specification

Each proposed amendment is intended to correct a typographical error. The corrections of typographical errors introduce no new matter.

In the heading locating on page 4, at line 10, the word "DESCREPTION" is corrected to read – **DESCRIPTION** –.

In the paragraph beginning on page 5, at line 20, the element number for ROM is corrected so the phrase "stored in ROM 124" is corrected to read – **stored in ROM 24** –.

In the paragraph beginning on page 9, at line 3, the file name "4X6Lable" is corrected to read – **4X6Label** –, to conform to the illustration in Figure 3.

Amendments to the Claims

Claims 2 and 4 are amended to more clearly recite the invention.

New, dependent claims 6-15 are supported by the disclosure in the specification.

Claims 6 and 11 refer to reports as an output of the system. The specification discloses, "The recipe text file 39 encapsulates rules for labels, reports and other formatted output . . . ." (Specification at page 9, lines 12-13).

Claims 7 and 12 refer to the use of a printer, which is mentioned often in the specification.

Claims 8 and 13 refer to an output in electronic format. The specification discloses, "In addition, the output may be rendered in an electronic format . . . ." (Specification at page 18, lines 10-11).

Claims 9 and 14 refer to a "composite artifact" which is described on page 10, beginning on line 19.

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Claims 10 and 15 refer to an "artifact modifier" which is described on page 12, beginning on line 1.

Amendments to the Drawing

The figures on the Replacement Sheets are formal drawings that contain no substantive amendment and no new matter.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejected claims 1, 3, and 4, under Section 102(b), as being anticipated by U.S. Patent 5,835,712 issued to *DuFresne*. To anticipate a claim, the cited reference must teach every element of the claim. *See* MPEP 2131; *Verdegaal Bros. v. Union Oil Co.*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

DuFresne discloses a system that requires full deployment in a web environment only. The system in *DuFresne* requires a web server, a web browser, and commands written in HTML. The templates in *DuFresne* must be stored in a database.

DuFresne does not teach or disclose any techniques or systems for using plain text files, as claimed in the pending application. Instead of text files, *DuFresne* requires HTML commands and templates stored in databases. The "input data text file" and a "recipe text file" recited in the claims are not written in HTML and need not be stored in a database. Because *DuFresne* does not teach or disclose every element recited in the claims, the Applicants submit that the claims are not anticipated.

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Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 2 and 5, under Section 103(a), on the grounds that the invention as claimed is obvious in light of *DuFresne* and U.S. Patent 6,394,354 issued to *Wilz, Sr., et al.* In general, a proper rejection under 35 U.S.C. § 103(a) requires that: (1) the prior art references teach or suggest all of the features of the claimed invention; (2) there is some suggestion or motivation to modify or combine the prior art references; and, (3) there is a reasonable expectation of success in combining the prior art references. *See* MPEP 2142; *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

Claims 2 and 5 describe the production of "a label" by the claimed invention. The invention, as claimed, does not require a web environment and was not built for use in a web environment.

Wilz discloses àn internet-based system that may include the printing of labels. Like *DuFresne, Wilz* discloses a system that requires full deployment in a web environment. Neither *DuFresne* nor *Wilz* would be of particular interest to anyone skilled in the art of building systems for non-web environments.

DuFresne, by itself, does not teach or suggest anything about the use of text files or the other features of the invention as claimed in the independent claims or in dependent claims 2 and 5. The mention of "labels" in *Wilz* does not add sufficient disclosure to the teachings of *DuFresne* to render claims 2 and 5 obvious. Neither *DuFresne* nor *Wilz* teach or suggest anything about text files, or the printing of labels using text files.

Only for a web-based system would there be any suggestion or motivation to combine *DuFresne* and *Wilz*. For a non-web-based system driven by plain text files, such as the claimed invention, *DuFresne* and *Wilz* would not be of interest at all. Even if someone skilled in the art of non-web applications were to know about *DuFresne* and *Wilz*, someone of ordinary skill would immediately understand that combining *DuFresne* and *Wilz* would not produce anything helpful in the realm of non-web-based applications and systems.

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There is no motivation or suggestion to combine the two web-based references in the context of a non-web-based system, and combining them would not produce anything relevant to a non-web-based system. Because there is no teaching or suggestion of all the features of the claimed invention, the claims are not made obvious by *DuFresne* in combination with *Wilz*.

CONCLUSION

After entry of the requested amendment, claims 1-15 are pending in the application. In light of this amendment and the remarks presented, the Applicant respectfully submits that all the claims of the application are patentable and the application is now in condition for allowance.

The undersigned is available at (404) 881-7821 if the Examiner has any questions or requests that may be resolved by telephone in order to expedite the examination of this application.

The Applicants do not believe any request for extension of time or fees are required, beyond those which may otherwise be provided for in documents accompanying this paper. In the event, however, that additional extensions of time are necessary to allow the consideration of this paper, such extensions are hereby petitioned-for under 37 CFR § 1.136(a) and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,
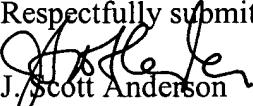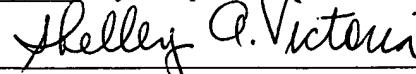
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APPENDIX

Attached hereto are four (4) Replacement Sheets including all figures of the drawing.